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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BROOKE MCLAUGHLIN,

Plaintiff,

Vs.

UNITED STATES OF AMERICA,

Defendant.

CASE NO.: C 04-0960 RS

**STIPULATION TO CONTINUE  
MOTION FOR SUMMARY JUDGMENT  
AND TO CONTINUE CHANGE  
BRIEFING SCHEDULE  
ACCORDINGLY; ~~[PROPOSED]~~ ORDER**

**STIPULATION TO CONTINUE MOTION FOR SUMMARY JUDGMENT AND TO CONTINUE CHANGE BRIEFING SCHEDULE  
ACCORDINGLY; [PROPOSED] ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties, by and through their respective undersigned attorneys, as follows:

On or about July 20, 2006, Plaintiff's counsel was advised by Defense Counsel that Plaintiff's Opposition to Defendant's Motion for Summary Judgment was due on July 19, 2006. Plaintiff's failure to file her opposition was due to a clerical error, in which Plaintiff's deadline to file her opposition was calendared in accordance with California Code of Civil Procedure, rather than the appropriate Federal Rules of Civil Procedure. Plaintiff's counsel requested, and Defense counsel has graciously agreed, to reschedule the hearing on said motion and to reschedule briefing deadlines.

Accordingly, the parties request the following changes to the current hearing on Defendant's Motion for Summary Judgment:

1. Plaintiff's Deadline for filing opposition to MSJ: August 4, 2006
2. Defendant's Reply: August 18, 2006
3. Hearing: September 6, 2006

IT IS SO STIPULATED.

Respectfully submitted,

THE CARTWRIGHT LAW FIRM, INC.

/S/  
Robert E. Cartwright, Jr.

Dated: July 24, 2006

**STIPULATION TO CONTINUE MOTION FOR SUMMARY JUDGMENT AND TO CONTINUE CHANGE BRIEFING SCHEDULE  
ACCORDINGLY; [PROPOSED] ORDER**

1 KEVIN V. RYAN  
2 United States Attorney

3  
4 /S/  
5 Claire T. Cormier  
6 Assistant United States Attorney

7 Dated: July 24, 2006

8  
9 **ORDER**

10 PURSUANT TO STIPULATIN AND GOOD CAUSE APPEARING, IT IS SO ORDERED.  
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13 Date: July 24, 2006

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15 Hon. RICHARD SEEBORG  
16 United States Magistrate Judge  
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28 STIPULATION TO CONTINUE MOTION FOR SUMMARY JUDGMENT AND TO CONTINUE CHANGE BRIEFING SCHEDULE  
29 ACCORDINGLY; [PROPOSED] ORDER